

ESTTA Tracking number: **ESTTA562179**

Filing date: **09/30/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91210565
Party	Defendant PSS World Medical, Inc.
Correspondence Address	Linda G. Henry Fenwick & West LLP 801 California Street Mountain View, CA 94041 UNITED STATES trademarks@fenwick.com,lhenry@fenwick.com,dshaw@fenwick.com
Submission	Withdrawal Of Application
Filer's Name	Linda G. Henry
Filer's e-mail	trademarks@fenwick.com
Signature	/lgh/
Date	09/30/2013
Attachments	Withdrawal - SELECT ALLEVIX 85683811.pdf(19458 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**


In the matter of  
Trademark Application No.: 85/683,811  
Mark: SELECT ALLEVIX (and design)

Bayer Healthcare, LLC,	)	
	)	
	)	
v.	)	Opposition No.: 91210565
	)	
PSS World Medical, Inc.,	)	
	)	
Applicant.	)	
_____	)	

**WITHDRAWAL OF APPLICATION**

Applicant, PSS World Medical, Inc., hereby withdraws its Application Serial No. 85/683,811 for the mark SELECT ALLEVIX (and design) pursuant to 37 C.F.R. Sections 2.68 and 2.135.

Dated: September 30, 2013

  
\_\_\_\_\_  
Linda G. Henry  
Attorney for Applicant  
FENWICK & WEST LLP  
Silicon Valley Center  
801 California Street  
Mountain View, California 94041

## **CERTIFICATE OF SERVICE**

The undersigned declares that:

I, Deborah A. Shaw, am employed in the County of Santa Clara, State of California. I am over the age of 18 and not a party to this action. My business address is: Fenwick & West LLP, Silicon Valley Center, 801 California Street, Mountain View, CA 94041.

On September 30, 2013, I caused to be served the attached:

### **WITHDRAWAL OF APPLICATION**

on the parties in the subject action by placing a true copy thereof as indicated below, addressed:

Tara M. Vold  
Fulbright & Jaworski LLP  
600 Congress Avenue, Suite 2400  
Austin, TX 78701-2978

Tara M. Vold  
Fulbright & Jaworski LLP  
98 San Jacinto Boulevard, Suite 1100  
Austin, TX 78701-4255

**(XX) BY U.S. MAIL:** I am familiar with our business practices for collecting and processing of mail for the United States Postal Service. Mail placed by me within the office for collection for the United States Postal Service would normally be deposited with the United States Postal Services that day in the ordinary course of business. The envelope(s) bearing the address(es) above was sealed and placed for collection and mailing on the date below following our ordinary business practices.

**( ) BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand on the office(s) of the addressee(s).

**( ) BY FEDERAL EXPRESS:** I caused such envelope(s) to be delivered to Federal Express for overnight courier service to the office(s) of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

September 30, 2013

/Deborah A. Shaw/  
Deborah A. Shaw

SELECT ALLEVIX (and design)  
S/N 85683811  
Opposition 91210565